

### REMARKS

Applicants have carefully considered the July 28, 2005 Office Action, and the amendments above together with the comments that follow are presented in a bona fide effort to address all issues raised in that Action and thereby place this case in condition for allowance. Claims 1-8 were pending in this application. In response to the Office Action dated July 28, 2005, claim 2 has been canceled and claims 1 and 4 have been amended. The subject matter of claim 2 has been included in independent claim 1 and claim 4 has been recast in independent claim form. Care has been exercised to avoid the introduction of new matter. Adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure as, for example, the depicted embodiments and related discussion thereof in the written description of the specification. Applicants submit that the present Amendment does not generate any new matter issue. Entry of the present Amendment is respectfully solicited. It is believed that this response places this case in condition for allowance. Hence, prompt favorable reconsideration of this case is solicited.

Claims 1, 6 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishibayashi et al (U.S. Pat. App. Pub. No. 2002/0031913, hereinafter "Nishibayashi") in view of Shiomi et al. (U.S. Pat. No. 5,844,252, hereinafter "Shiomi"). Applicants respectfully traverse the rejection in view of the foregoing amendment to independent claim 1.

Claim 2 was objected to as being dependent upon a rejected claim, but was indicated as being allowable if recast in independent claim form. Applicants have amended claim 1 to include the subject matter of claim 2 (now canceled). Accordingly, Applicants submit that claim 1, as amended, is patentably distinct over the applied art. Dependent claims 6 and 8 are free from the

applied art in view of their dependency from claim 1. Applicants, therefore, request reconsideration and withdrawal of the rejection of claims 1, 6 and 8 under 35 U.S.C. § 103(a).

Claim 4 was objected to as being dependent upon a rejected claim, but was indicated as being allowable if recast in independent claim form. Applicants have rewritten claim 4 in independent form to include the subject matter of original claim 1. As such, independent claim 4, as well as dependent claim 5, are believed to be in condition for allowance. Claims 3 and 7 were allowed.

Applicants note the Examiner's Statement of Reasons for Allowance included on page 4 of the Office action. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the reasoning stated by the Examiner. The Statement of Reasons for Allowance should not be used to interpret the cited claims, particularly to the extent if any that the Statement of Reasons for Allowance may differ from the express language of the claims. It is respectfully submitted that the allowed claims should be entitled the broadest reasonable interpretation and broadest range of equivalents that are appropriate in light of the language of the claims and the supporting disclosure, without reference to the Statement of Reasons for Allowance.

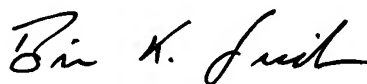
It is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Brian K. Seidleck".

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